

87th Legislative Session – 2012

Committee: Senate Local Government

Friday, February 24, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Bradford
P Hunhoff (Jean)
P Lederman
P Nelson (Tom)
P Tieszen
P Holien, Vice-Chair
P Schlekeway, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman, Senator Schlekeway.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 22ND.

Moved by: Holien
Second by: Bradford
Action: Prevailed by voice vote.

HB 1096: specify the venue for certain appeals involving home-rule municipalities.

Presented by: Representative Roger Hunt
Proponents: Larry Nelson, SD Municipal League

MOTION: AMEND HB 1096

1096ta

On page 1, between lines 3 and 4 of the printed bill, insert:

" Section 1. That subdivision (1) of § 1-26-1 be amended to read as follows:

- (1) "Agency," each association, authority, board, commission, committee, council, department, division, office, officer, task force, or other agent of the state vested with the authority to exercise any portion of the state's sovereignty. The term includes a home-rule municipality that has adopted its own administrative appeals process, whose final decisions, rulings, or actions rendered by that process are subject to judicial review pursuant to this chapter. The term does not include the Legislature, the Unified Judicial System, any unit of local government, or any agency under the jurisdiction of such exempt departments and units unless the department, unit, or agency is specifically made subject to this chapter by statute;

".

Moved by: Tieszen
Second by: Holien
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1096 AS AMENDED

Moved by: Holien
Second by: Tieszen
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Lederman, Nelson (Tom), Tieszen, Holien, Schlekeway

Excused: Hunhoff (Jean)

MOTION: PLACE HB 1096 ON CONSENT CALENDAR

Moved by: Tieszen
Second by: Lederman
Action: Prevailed by voice vote.

HB 1186: prohibit registered sex offenders from circulating petitions and to provide a penalty for the violation thereof.

Presented by: Representative Phil Jensen
Proponents: Staci Eggert, SD Sheriff's Association
Aaron Lorenzen, Office of the Secretary of State

MOTION: AMEND HB 1186

1186ta

On page 1, line 14, of the printed bill, before "supervision" insert "immediate".

Moved by: Tieszen
Second by: Holien
Action: Prevailed by voice vote.

MOTION: AMEND HB 1186

1186fc

On page 1, line 4, of the printed bill, delete "22-24B" and insert "12-1".

On page 1, line 10, delete "22-24B" and insert "12-1".

On page 1, line 12, after "provisions of" insert "section 1 of".

On page 2, line 2, delete "22-24B" and insert "12-1".

On page 2, line 4, after "provisions of" insert "section 1 of".

On page 2, after line 6, insert:

" Section 4. That chapter 22-24B be amended by adding thereto a NEW SECTION to read as follows:

No registered sex offender is eligible to circulate certain nominating petitions pursuant to sections 1 to 3, inclusive, of this Act."

Moved by: Holien
Second by: Tieszen
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1186 AS AMENDED

Moved by: Holien
Second by: Tieszen
Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Lederman, Nelson (Tom), Tieszen, Holien, Schlekeway

Voting No: Bradford

Excused: Hunhoff (Jean)

MOTION: ADJOURN

Moved by: Tieszen

Second by: Holien

Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Todd Schlekeway, Chair